## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-CV-12169-REK

## PLAINTFILL ANN MITCHELL'S CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)

We hereby affirm that we have conferred: (a) with a view to establishing a budget for the costs of conducting the full course -- and the various alternative courses -- of the litigation; and (b) to consider resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Respectfully submitted, ALICE WHITEHILL WISEBERG COUNSEL FOR PLAINTIFF

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Respectfully submitted, ANN MITCHELL

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party in hand on December 1, 2004.

vin by Coans Mar 12/1/04